


THIS IS A TWO-SIDED DOCUMENT

 <p><b>Adirondack Park Agency</b></p> <p>P.O. Box 99, 1133 NYS Route 86 Ray Brook, New York 12977 Tel: (518) 891-4050 www.apa.ny.gov</p>	<p>APA Permit <b>2026-0023</b></p>
<p>In the Matter of the Application of</p> <p><b>ROBERT K. SCHEEFER LINDA J. SCHEEFER</b> Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: <b>April 30, 2026</b></p> <p>To the County Clerk: Please index this permit in the grantor index under the following name(s):</p> <ol style="list-style-type: none"><li><b>1. Robert K. Scheefer</b></li><li><b>2. Linda J. Scheefer</b></li></ol>

**SUMMARY AND AUTHORIZATION**

This permit authorizes a two-lot subdivision in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of North Elba, Essex County.

This authorization shall expire unless recorded in the Essex County Clerk's Office within 60 days of issuance of a signed and notarized permit. The signed and notarized permit shall be recorded in the names of all persons listed above and in the names of all owners of record of any portion of the project site on the recordation date.

The project shall not be undertaken or continued unless the project authorized herein is in existence within five years of the date the permit is recorded in the Essex County Clerk's Office. The Agency will consider the project in existence when an authorized lot has been conveyed to an outside party.

The project shall be undertaken in compliance with all conditions stated herein. Failure to comply with this permit is a violation and may subject the permittee, successors, and assigns to civil penalties and other legal proceedings.

This permit does not convey any right to trespass upon the lands or interfere with the riparian rights of others in order to undertake the authorized project, nor does it authorize the impairment of any easement, right, title or interest in real or personal property.

Nothing contained in this permit shall be construed to satisfy any legal obligations of the permittee to comply with all applicable laws and regulations or to obtain any governmental approval or permit from any entity other than the Agency, whether federal, State, regional, or local.

### **PROJECT SITE**

The project site is a 8.33±-acre parcel of land located on Beaver Pond Way in the Town of North Elba, Essex County, in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 32.3, Block 5, Parcel 17.200, and is described in a deed from Robert K. Scheefer to Robert K. Scheefer and Linda J. Scheefer, dated June 30, 2020, and recorded July 1, 2020 in the Essex County Clerk's Office under Instrument Number 2020-2380.

The project site contains wetlands associated with Kurung Pond (also known as Beaver Pond). Additional wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

The project site is improved by a single family dwelling, an associated on-site wastewater treatment system, a detached garage, a water supply well, a garage, and three storage sheds.

The project site was created as "Lot 1A" in a two-lot subdivision as authorized by Agency Permit 2019-0200.

### **PROJECT DESCRIPTION**

The project as conditionally approved herein involves a two-lot subdivision of an 8.33±-acre parcel into a 4.26±-acre lot (Lot A) and a 4.07±-acre lot (Lot B).

Access to Lot B will be over a 30-foot-wide right-of-way across Lot A, as shown on the Site Plan.

The project is shown on a single-sheet map titled, "Map of Survey Showing a Two (2) Lot Subdivision of Certain Lands of Robert K. Scheefer & Linda J. Scheefer," prepared by Robert M. Marvin, Jr., LS, dated March 3, 2026 and received by the Agency on March 4, 2026 (Site Plan).

A reduced-scale copy of the Site Plan is attached as a part of this permit for reference.

### **AGENCY JURISDICTION**

Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act and Adirondack Park Agency regulations at 9 NYCRR Part 578, a permit is required from the Adirondack Park Agency prior to any subdivision involving wetlands in the Adirondack Park.

### **CONDITIONS**

#### **THE PROJECT IS APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. The project shall not be undertaken until this permit has been recorded in the Essex County Clerk's Office.

2. This permit is binding on the permittee, all present and future owners or lessees of the project site, and all persons undertaking all or a portion of the project. Copies of this permit and the Site Plan shall be furnished by the permittee to all subsequent owners or lessees of the project site prior to sale or lease, and by the permittee and/or any subsequent owner or lessee to all persons undertaking any development activities authorized herein.
3. In addition to complying with all terms and conditions of this permit, all future activities on the project site shall be undertaken in compliance with the requirements of New York State's Adirondack Park Agency Act, Freshwater Wetlands Act, and the Adirondack Park Agency's implementing regulations [9 NYCRR §§ 570-588].
4. All deeds conveying all or a portion of the lands subject to this permit shall contain references to this permit as follows: "The lands conveyed are subject to Adirondack Park Agency Permit 2026-0023, issued April 30, 2026, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
5. Subject to the conditions stated herein, this permit authorizes a two-lot subdivision as depicted on the Site Plan. Any subdivision not depicted on the Site Plan shall require prior written Agency authorization.
6. Any deed of conveyance for Lot A as depicted on the Site Plan shall contain an easement providing access to Lot B over the right-of-way shown and described on the Site Plan.
7. The construction of any additional dwelling or other principal building on the project site shall require prior written Agency authorization.
8. Construction of any guest cottage on Lot A shall require prior written Agency authorization.
9. Prior to undertaking construction of any boathouse on Lot A, written authorization of plans for the boathouse, including all attached docks or walkways, shall be obtained from the Agency.
10. Prior to undertaking construction of any dock on Lot A, written authorization of plans for the dock, including all attached upland structures, shall be obtained from the Agency.
11. No structures greater than 100 square feet in size shall be constructed within 75 feet, measured horizontally, of the mean high water mark of Kurung Pond. Boathouses and docks, as defined under 9 NYCRR § 570.3, are excepted from this requirement.
12. Prior to construction of any on-site wastewater treatment system on the project site, written authorization shall be obtained from the Agency for plans prepared by a New York State design professional (licensed engineer or registered

architect) that comply with New York State Department of Health's "Wastewater Treatment Standards for Individual Household Systems" (10 NYCRR Appendix 75 A), the Agency's Project Guidelines for Residential On-Site Wastewater Treatment, and with Agency standards in 9 NYCRR Appendix Q-4.

Installation of the approved plans shall be under the supervision of a licensed design professional. Within 30 days of complete system installation and prior to utilization, the design professional shall provide the Agency with written certification that the system was installed in compliance with the Agency authorized plan set.

13. There shall be no more than one principal building located on Lot A at any time. The single family dwelling constructed on the property in 2011 constitutes a principal building.
14. There shall be no more than one principal building located on Lot B. The Agency makes no assurances that the maximum development mathematically allowed can be approved.

### **CONCLUSIONS OF LAW**


The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act, the Freshwater Wetlands Act and 9 NYCRR Part 578, and 9 NYCRR Part 574. The Agency hereby finds that the subdivision authorized as conditioned herein:

- a. will be consistent with the land use and development plan;
- b. will be compatible with the character description and purposes, policies, and objectives of the Low Intensity Use land use area;
- c. will be consistent with the overall intensity guidelines for the Low Intensity Use land use area;
- d. will comply with the shoreline restrictions of § 806 of the Adirondack Park Agency Act;
- e. will not have an undue adverse impact upon the natural, scenic, aesthetic, ecological, wildlife, historic, recreational or open space resources of the Park or upon the ability of the public to provide supporting facilities and services made necessary by the project;
- f. will secure the natural benefits of wetlands associated with the project, consistent with the general welfare and beneficial economic, social, and agricultural development of the state; and
- g. will be compatible with preservation of the entire wetland and will not result in degradation or loss of any part of the wetland or its associated values.

Dated: April 30<sup>th</sup>, 2026

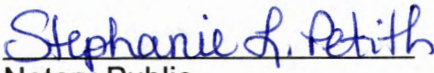
Ray Brook, New York

**ADIRONDACK PARK AGENCY**

By:   
John M. Burth  
Deputy Director, Regulatory Programs

STATE OF NEW YORK  
COUNTY OF ESSEX

On the 30<sup>th</sup> day of April in the year 2026, before me, the undersigned, a Notary Public in and for said State personally appeared John M. Burth, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their capacity, and that by their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
Notary Public

STEPHANIE PETITH  
Notary Public, State of New York  
Reg. No. 01PE6279890  
Qualified in Essex County  
Commission Expires April 15, 2029

